

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ADAN ORTIZ,
Plaintiff,

vs.

GENCO I, INC.,
Defendant.

CASE NO. 16-cv-4601-YGR

CASE NO. 17-cv-03692-YGR

**ORDER CONTINUING HEARING ON
MOTION FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT; DIRECTING
SUPPLEMENTAL NOTICE AND EXTENDING
DEADLINES; VACATING AND DISCHARGING
OSC**

The Court issued an Order to Show Cause on November 15, 2018 with respect to the pending Motion for Final Approval of Class Action Settlement and for Award of Attorneys' Fees and Expenses in the above-captioned actions. Plaintiff and Defendant Genco filed their Joint Response to Order to Show Cause on November 27, 2018. (Dkt. No. 74 in 16-cv-4601.)

In light of the statements therein indicating that class members did not receive notice and access to the settlement documents on the Class Settlement Administrator's website as required by this Court's Order Granting Preliminary Approval of Class Action Settlement, the Court now **ORDERS** as follows:

1. The deadline for class members to submit requests for exclusion, objections to the settlement, and Opt-In Claim Forms is extended, and the final approval hearing currently set for December 11, 2018, is **CONTINUED** as follows:

March 15, 2019	NEW Postmark Deadline for Class Members to submit any of the following to the settlement administrator: (1) request for exclusion; (2) objection to the settlement (3) Opt-In Claim Form
April 2, 2019, 2:00 p.m., Courtroom One, 1301 Clay Street, Oakland, California	Hearing on Motion for Final Approval of Class Action Settlement and Motion for Attorney's Fees and Costs

1 2. The Class Administrator shall update the settlement website with the new deadlines set
2 forth above no later than **December 5, 2018**. Further, the Class Administrator shall mail a
3 supplemental postcard notice to all members of the Background Check Class and the Wage and
4 Hour Class no later than **December 31, 2018**. The supplemental postcard notice shall be in
5 substantially the form attached to the parties' Joint Response to Order to Show Cause, Exhibit 1
6 except that the fourth full paragraph shall read:

7 If you worked at Genco I/ Fed Ex in California on or after June 24, 2013, your
8 deadline to submit an FLSA Opt-In Claim Form and receive an increased
9 settlement payment, is extended to **March 15, 2019**.

10 The supplemental notice shall also correct the zip code of the Oakland Courthouse to read
11 correctly (*i.e.*, **94612**).

12 3. By no later than **March 26, 2019**, the parties shall file an updated statement
13 regarding the number of FLSA Opt-In Claim forms, exclusions, and objections, and the execution
14 of this supplemental notice plan.

15 The Order to Show Cause, set for hearing on December 4, 2018, is **DISCHARGED** and
16 **VACATED**.

17 **IT IS SO ORDERED.**

18 Dated: November 29, 2018



YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE